U.S. DISTRICT COURT IN THE UNITED STATES DISTRICT COURPRIHERN DISTRICT OF TEXAS FOR THE NORTHERN DISTRICT OF THXAS KILED **AMARILLO DIVISION** MAR - 3 2009 ARTHUR JOYAL BARKER, CLERK, U.S. DISTRICT COURT \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ Petitioner. Deputy 2:09-CV-0041 v. NATHANIEL QUARTERMAN, Director. Texas Department of Criminal Justice. Correctional Institutions Division, Respondent.

ORDER OVERRULING OBJECTIONS, ADOPTING REPORT AND RECOMMENDATION and DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS

Petitioner has filed with this Court an application for a writ of habeas corpus by a person in state custody. On February 18, 2009, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that petitioner's habeas petition be dismissed. On March 2, 2009, petitioner filed objections to the Report and Recommendation.

The undersigned United States District Judge has made an independent examination of the record in this case and has considered the objections made by petitioner to the Report and Recommendation. The objections filed by petitioner are without merit and are hereby OVERRULED. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus filed by petitioner is DISMISSED.

IT IS SO ORDERED.			
ENTERED this	day of	Marcu	2009.

MARY LOU KOBINSON (UNITED STATES DISTRICT JUDGE